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Attorneys for Plaintiff Bahena

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

ESMELING L. BAHENA,

Plaintiff,

v.

MENDOZA,

Defendant.

1:22-cv-01585 BAM (PC)

**JOINT STIPULATION FOR COURT
APPROVAL OF PLAINTIFF'S
ATTORNEY'S FEES; ~~PROPOSED~~
ORDER**

Judge: Hon. Barbara A. McAuliffe
Trial Date: Not Set
Action Filed: June 10, 2022

Pursuant to California Penal Code section 2085.8, Plaintiff Bahena and Defendant Mendoza, by and through their respective counsel of record, stipulate to seek the Court's approval of Plaintiff's attorney's fees and litigation expenses, on the following grounds:

1. On November 14, 2025, the parties reached a settlement in the instant case. Settlement was not reached during the course of a formal settlement conference and, therefore, the specific attorney fees and expenses requested to be paid out of the settlement amount have not been placed on the record in this matter.

2. In compliance with California Penal Code section 2085.8, subdivision (a), Court approval of Plaintiff's attorney's fees is necessary prior to completing the settlement, as the

1 statute requires a reasonableness review by the Court in cases involving incarcerated individuals.
2 (*See* Cal. Penal Code § 2085.8(a).)

3 3. Therefore, the Court's approval of Plaintiff's attorney's fees and expenses is
4 necessary before the settlement can be finalized.

5 4. Plaintiff's counsel's requested fees for the settlement of this case total \$8,000.00.
6 Plaintiff's counsel's requested litigation expenses total \$1,844.00. The total settlement amount for
7 this case is \$20,000.00.

8 5. Plaintiff also understands that, pursuant to Penal Code section 2085.8, any amounts
9 owed by an incarcerated person under restitution, fine, or other court order, including
10 administrative fees, must be collected by the California Department of Corrections and
11 Rehabilitation (CDCR).

12 6. The parties request that the Court review the reasonableness of the proposed attorney
13 fee award and litigation expenses in accordance with Penal Code section 2085.8, subdivision (a).

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7. Once the Court has reviewed and approved the attorney fee award and litigation expenses, the final executed settlement agreement will be forwarded to CDCR for further processing pursuant to the material terms of the settlement reached on November 14, 2025.

IT IS SO STIPULATED.

Dated: December 22, 2025

Respectfully submitted,

ROB BONTA
Attorney General of California
JOANNA B. HOOD
Supervising Deputy Attorney General

/s/ Patricia M. Kealy

PATRICIA M. KEALY
Deputy Attorney General
Attorneys for Defendant D. Mendoza

Dated: December 22, 2025

Respectfully submitted,

/s/ James P. Roberts
(as authorized on 12/22/2025)
JAMES P. ROBERTS
Attorneys for Plaintiff Bahena

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ESMELING L. BAHENA,

Plaintiff,

v.

MENDOZA,

Defendant.

1:22-cv-01585 BAM

ORDER

Good cause appearing, the Court approves the payment of \$9,884.00 to Plaintiff's counsel for reasonable attorney fees incurred and litigation expenses in the above matter.

IT IS SO ORDERED.

Dated: December 23, 2025

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE